

City Manager Morgan advised the Council that a list of all property owned by the City, including that acquired by tax deeds, had been compiled, and recommended that the City offer for sale such property as the City is not utilizing, thereby placing on the tax rolls a great deal of property that is at present non-taxable. The Council approved this recommendation and authorized the City Manager to place "FOR SALE" signs on the various pieces of property which the City desires to sell and to list same for sale with the different real estate agents of the City, reserving the right to reject any or all offers.

The City Manager also recommended to the Council that the old Protection Fire Hall on Lavaca Street be fitted up for use as a garage and repair shop for the City's automobiles and trucks, and this recommendation was approved by the Council.

There being no further business, Councilman Wolf moved to recess, subject to call of the Mayor. The motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The Council then recessed.

Attest:

Hellie McKellar City Clerk

APPROVED

Tom Miller
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 6, 1933.

The Council was called to order by Mayor Pro Tem Oswald G. Wolf. Roll call showed the following members present: Councilmen Alford, Bartholomew, Gillis, and Mayor Pro Tem Wolf, 4; absent, Mayor Miller, 1.

The Minutes of the last regular meeting were read and Councilman Gillis moved the adoption of same as read. The motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro Tem Wolf, 4; nays, none; Mayor Miller absent, 1.

J. W. Waltrip, a licensed taxicab operator, came before the Council and asked that the ordinance regulating the operation of taxicabs be amended so as to reduce the fare from twenty cents to ten cents, stating that such action would increase their business. Before taking any action on the matter, the Council referred same to a meeting with the taxicab owners and operators to be held on Monday, July 10th, at 3:00 P. M.

The application of Henry Viscardi for permit to set the curb back at his property located at the northwest corner of West Lynn and West Twelfth Streets was read.

Mayor Pro Tem Wolf then laid before the Council the following:

"Austin, Texas, July 5, 1933.

Mr. Guiton Morgan,
City Manager,
Austin, Texas.

Dear Sir:

The request of Henry Viscardi, owner of a portion of Lot 1 of Starkey's Subdivision of a part of Lot 15 of a subdivision of 252 acres of the George W. Spear League, which property is located at the northwest corner of the intersection of West 12th Street and

West Lynn Street, for a permit to set the curb back from the established curb line for a distance of 26.7 feet and to construct a ramp in front of his property, has been investigated and considered and the following facts are presented:

Said property of Henry Viscardi is located within the "C" Commercial Use District.

The area created by the setback will act as a widening of the paving on West Lynn Street and will be a benefit to the users of this street by allowing a greater width of travelway.

I recommend that this permit be granted subject to the following conditions:

- (1) That the reconstruction of the setback area on West Lynn Street shall be constructed in accordance with the accompanying plan marked 2-H-330 and that all such widened area, ramps and curbs and a sidewalk between the property line and the curb line shall be constructed of concrete at the expense of the applicant.
- (2) That all such concrete shall be not less than 6 inches in thickness and shall be of the following proportions: 1 part of cement, 2½ parts of sand, and 4 parts of screened gravel or rock.
- (3) That the concrete curb adjacent to the sidewalk area shall be not less than 6 inches high and that an expansion joint not less than ¾ inches thick shall be placed between the curb and the sidewalk as shown on the plan hereto attached marked 2-H-330.
- (4) That all such expansion joints shall be of the pre-moulded type.
- (5) That all concrete work within the street area shall be done by a bonded sidewalk contractor.
- (6) That the applicant shall be required to clean the newly created ramp area at least twice per week and shall dispose of the debris at his expense.
- (7) That all work shall be done in accordance with lines and grades furnished by the Engineering Department of the City of Austin and under the direction of the City Engineer.

Yours truly,

(Sgd) C. G. Levander,
Asst. City Engineer. "

WHEREAS, Henry Viscardi, owner of a portion of Lot 1 of Starkey's Subdivision of a part of Lot 15 of a subdivision of 252 acres of the George W. Spear League, which property is located at the northwest corner of the intersection of West 12th Street and West Lynn Street, has made application for a permit to set the curb back for a distance of 26.7 feet and to construct a ramp adjacent to his property so as to provide more parking space on West Lynn Street; and

WHEREAS, a plan has been presented showing the proposed layout and said plan has been considered and approved by the City Council of the City of Austin; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT permission is hereby granted Henry Viscardi, owner of a portion of Lot 1 of Starkey's Subdivision of a part of Lot 15 of a subdivision of 252 acres of the George W. Spear League, which property is located at the northwest corner of the intersection of West 12th Street and West Lynn Street, to set the curb back adjacent to his property and to build a concrete ramp in connection therewith subject to the same's being constructed in accordance with the plan approved by the City Engineer, which plan is hereto attached and marked 2-H-330, and in accordance with the following conditions:

- (1) That the reconstruction of the setback area on West Lynn Street shall be constructed in accordance with the accompanying plan marked 2-H-330 and that all such widened area, ramps and curbs and a sidewalk between the property line and the curb line shall be constructed of concrete at the expense of the applicant.
- (2) That all such concrete shall be not less than 6 inches in thickness and shall be of the following proportions: 1 part of cement, 2½ parts of sand and 4 parts of screened gravel or rock.
- (3) That the concrete curb adjacent to the sidewalk area shall be not less than 6 inches high and that an expansion joint not less than ¾ inches thick shall be placed between the curb and the sidewalk as shown on the plan hereto attached marked 2-H-330.
- (4) That all such expansion joints shall be of the pre-moulded type.

(5) That all concrete work within the street area shall be done by a bonded sidewalk contractor.

(6) That the applicant shall be required to clean the newly created ramp area at least twice per week and shall dispose of the debris at his expense.

(7) That all work shall be done in accordance with lines and grades furnished by the Engineering Department of the City of Austin and under the direction of the City Engineer.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

Mayor Pro tem Wolf laid before the Council the following resolution, which was introduced at the last regular meeting and laid over:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of \$150.00 be and the same is hereby appropriated out of the General Fund not otherwise appropriated, for the purpose of additional appropriation to the Settlement Club Home, payable at the rate of \$25.00 per month, beginning July 1, 1933.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

Mayor Pro tem Wolf stated that the hearing called for this day, by published notice thereof, on the proposal of the City Council to amend the Zoning Ordinance in the following particulars:

(1) To amend the Height and Area designation of all that property fronting on West 24th Street extending back from each line of West 24th Street approximately 150 feet and taking in that portion of West 24th Street lying between Guadalupe Street and a line 186 feet west of Rio Grande Street, so as to change same from a First Height and Area District to a Second Height and Area District.

(2) To amend the Height and Area designation of all that property fronting south on West 29th Street from Guadalupe Street to Salado Street and extending north from 29th Street approximately 150 feet and all that property fronting north on West 29th Street from Guadalupe Street to the alley lying between Rio Grande Street and Salado Street and extending approximately 100 feet south of the south line of West 29th Street, so as to change same from a First Height and Area District to a Second Height and Area District;

would now be opened. No one appearing to protest the proposed change, Mayor Pro tem Wolf then laid before the Council the following ordinance:

AN ORDINANCE AMENDING, IN THE CERTAIN PARTICULARS HEREINAFTER STATED, AN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; AND REGULATING AND DISTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE INDUSTRY, RESIDENCES AND OTHER PURPOSES; AND DIVIDING THE CITY OF AUSTIN INTO DISTRICTS OR ZONES, AND REGULATING AND DISTRICTING THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR AND USE OF BUILDINGS, STRUCTURES OR LAND WITHIN SUCH DISTRICTS OR ZONES; AND PROVIDING UNIFORM REGULATIONS FOR THE SEVERAL CLASSES AND KINDS OF BUILDINGS OR STRUCTURES AND USES WITHIN THE DISTRICTS OR ZONES; AND ADOPTING TWO ZONING MAPS, DISCLOSING RESPECTIVELY THE SEVERAL USE DISTRICTS AND THE SEVERAL HEIGHT AND AREA DISTRICTS, AND THE RESTRICTIONS AND LIMITATIONS AND PROVISIONS APPLICABLE TO SUCH DISTRICTS; AND PROVIDING FOR A BOARD OF ADJUSTMENT AND DEFINING THE POWERS OF SAME; AND PROVIDING CERTAIN PENALTIES AND REMEDIES; AND DECLARING AN EMERGENCY."

The above ordinance was read the first time and Councilman Alford moved a suspension of the rule and the placing of the ordinance on its second reading. The motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, and Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

The ordinance was read the second time and Councilman Alford moved a further suspension of the rule and the placing of the ordinance on its third reading. The motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

The ordinance was read the third time and Councilman Alford moved that same be finally passed. The motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

A resolution appropriating the sum of \$2000.00 out of the General Fund for the purpose of paying for trucks used on R. F. O. projects was introduced and laid over for one week.

Mayor Pro tem Wolf laid before the Council the following resolution:

WHEREAS, according to the records of the City Tax Department, taxes now appear to be unpaid on Lots 11 and 12, Block 9, Grooms Addition, for the year 1925, which amount to \$22.00, which figure does not include penalty and interest; and

WHEREAS, in 1929 Mrs. Carrie L. Johnson purchased said property and at said time obtained from the Tax Collector his certificate that there were no delinquent taxes on said property up to and including the year 1929; and upon the faith of said certificate, purchased said property; and

WHEREAS, it was later discovered by the Tax Collector that the taxes for the year 1925 had never been paid, and that his error in making said certificate was due to the imperfect and confused condition of the tax records at said time, and that such error was not discovered until after this general condition was rectified, which was after the time he made the certificate; and

WHEREAS, demand has been made on Mrs. Carrie L. Johnson to pay said taxes; and

WHEREAS, in view of the premises, equity demands that said taxes be cancelled; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the city taxes on Lots 11 and 12, Block 9, Grooms Addition, City of Austin, be and the same are hereby stricken from the tax rolls, and the City Assessor and Collector of Taxes be directed to make entry on his books accordingly.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

Mayor Pro tem Wolf laid before the Council the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in ENFIELD ROAD from Lot #26 of Enfield "A" according to a map of plat of Enfield "A" as recorded in Travis County Clerk's office, Plat Book No. 3, Page 44, the centerline of which gas main shall be as follows:

Beginning at a point on the south line of Lot No. 26 of Enfield "A", the same being a point on the north line of Enfield Road, and which point of beginning is 50 feet westerly from the southeast corner of said Lot 26.

Thence in a westerly direction 64 feet with the centerline of said gas main to a point 21 feet south of the north line of Enfield Road;

Thence in a westerly direction 19 feet with the centerline of said gas main to a point 33 feet south of the north line of Enfield Road;

Thence in a westerly direction 16 feet with the centerline of said gas main to a point 38 feet south of the north line of Enfield Road;

Thence in a westerly direction 64 feet with the centerline of said gas main to a point 33 feet south of the north line of Enfield Road.

Thence in a westerly direction 167 feet with the centerline of said gas main to a point 43 feet south of the north line of Enfield Road. Said gas main described above shall have a cover of not less than 2 feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is out in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

Mayor Pro tem Wolf laid before the Council the following resolution:

WHEREAS, M. K. Hage and Tom Attal have charge of the wrecking of a building located at 200 West 8th Street; and

WHEREAS, they desire a portion of the street, sidewalk and alley space abutting Lot 6, Block 99, of the Original City of Austin, during the wrecking of the building, such space to be used in the work and for the storage of materials therefor; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said M. K. Hage and Tom Attal, the boundary of which is described as follows:

STREET, SIDEWALK AND ALLEY WORKING SPACE.

Beginning at the southeast corner of said Lot 6; thence in a southwesterly direction and at a 45° angle with the centerline of West 8th Street to a point 4 feet south of the north curb line of West 8th Street; thence in a westerly direction and parallel with the centerline of West 8th Street to a point 46 feet west of the west line of Colorado Street; thence in a northerly direction and at right angles with the centerline of West 8th Street to the north line of West 8th Street; thence in an easterly direction following the north line of West 8th Street to the west line of Colorado Street; thence in a northerly direction following the west line of Colorado Street to the south line of the alley traversing said Block 99; thence in a westerly direction following the south line of said alley a distance of 46 feet; thence in a northerly direction and at right angles with the centerline of said alley a distance of 5 feet; thence in an easterly direction and parallel with the centerline of said alley a distance of 46 feet; thence in a southeasterly direction and at a 45° angle with the centerline of Colorado Street to a point 4 feet east of the west curb line of Colorado Street; thence in a southerly direction and parallel with the centerline of Colorado Street a distance of 110 feet; thence in a southwesterly direction to the point of the beginning.

2. THAT the above privileges and allotment of space are granted to said M. K. Hage and Tom Attal, hereinafter termed "Contractor" upon the following express terms and conditions:

(1) That the Contractor shall construct a walkway at least 4 feet wide with guard rails on each side at least 4 feet high along and with the east and south boundary lines of the working space.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rail.

(3) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness.

(5) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than September 1, 1933.

(6) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(7) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(8) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5000.00) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the wrecking work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

Mr. John Keen and other members of a committee from the Austin Advertising Club submitted to the Council a petition signed by a large number of business firms of the City, urging that the City Council take such action as is necessary to protect them from competition with what is commonly known as "advertising rackets". The matter was referred to the City Attorney to have the proper ordinance prepared, giving the relief desired.

There being no further business before the Council, Councilman Gillis moved to recess subject to call of the Mayor. The motion was seconded by Councilman Alford and same prevailed by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Pro tem Wolf, 4; nays, none; Mayor Miller absent, 1.

The Council then recessed.

Approved Bartholomew A. Wolf
Mayor Pro Tem.

Attest:

Harriet McKeen
City Clerk